

On motion of Senator Burney,  
The Senate adjourned till 10 o'clock  
to-morrow morning.

### SEVENTEENTH DAY.

SENATE CHAMBER. }  
AUSTIN, January 29, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Armistead,

The reading of the Journal of yesterday was dispensed with.

Senator Abercrombie stated that the Journal reported him as having, on yesterday, argued against the "constitutionality and expediency" of sub-Senate bill No. 74, being the bill to relieve the drouth sufferers and to make an appropriation therefor. He asked that the Journal be corrected by striking out the word "constitutionality," and Journal was so corrected.

### COMMITTEE REPORTS.

BY SENATOR JARVIS.

COMMITTEE ROOM. }  
AUSTIN, January 29, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Finance, to whom was referred Senate bill No. 121, being "An act to amend sections 1, 3 and 4 of 'an act to regulate the sale of spirituous, vinous or malt liquors, or medicated bitters; to fix the rate of occupation tax on all persons, firms or associations of persons engaged in the sale of spirituous, vinous or malt liquors, or medicated bitters; to define the manner and time of collecting such tax, and to affix penalties for failure to pay the same, and to repeal all laws or parts of laws in conflict with the provisions of this act,'" have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, with the following amendments, viz: Amend the caption by striking out the figures 1 and 3. Amend by striking out sections 1 and 3 of the bill. Amend

section 4, by striking out the word "music." Also, by striking out "five thousand," and inserting "two thousand." Also, by striking out the words "county judge," in the line "it shall be the duty of the county judge, the county attorney and district attorney," and inserting in lieu thereof the words "county treasurer."

Respectfully submitted,

JARVIS, chairman.

Bill read first time.

### SENATOR DOUGLASS

Of Grayson, from the same committee, submitted the following minority report on the same bill:

The undersigned, a member of the Finance Committee, to which was referred Senate bill No. —, a bill to be entitled "An act to amend sections 1, 3 and 4 of the act of March 11, 1881, to regulate the sale of spirituous, vinous or malt liquors, or medicated bitters, and other purposes," being unable to concur in the report of a majority of the committee, herewith submit a minority report.

The majority report favors striking out sections 1 and 3 of the bill.

The only change in the present law sought to be effected by the sections so stricken out is to increase the present occupation tax for selling liquors, to-wit: To raise tax on saloons from \$300 to \$1,000; on sales of less than five gallons from \$200 to \$550, and on sales more than five gallons, from \$300 to \$500, and on sales of beer exclusively, from \$50 to \$100.

To sustain the report of the majority of the committee leaves the taxes at what they are at present.

Without insisting upon the amounts designated in the bill, the undersigned would respectfully submit that the reasons in favor of increasing the occupation tax on the sales of liquor are, in his judgment, so strong and grave as to well merit a most careful consideration by the Senate of Texas.

If it be true, as asserted by legal authorities, that the object of this class of occupation tax is not revenue only, but the regulation of traffic, for the prevention of intemperance, pauperism and crime; it must be confessed that the present occupation tax is inadequate to effect such a result, for certainly there is neither diminution in number or improvement in character since the adoption of the statute, and to-day almost all towns and cities

in the State are crowded with low dives, nickel saloons and other like disreputable resorts.

If these places were content simply to lure in, and debauch the inexperienced and the young, we might leave to the churches and religious societies the task of reclaiming the fallen as contended by some philanthopists of the day, but it is undeniable that these places do exercise a strong political influence and always potent for evil in all elections and issues submitted to the people, and at every recurring election send forth their votaries and partisans, gathered mainly from the lowest walks of life, the illiterate and dissolute, to vote against the conservative and better elements of society.

A sense, therefore, of the obligation resting upon us as legislators, to preserve the purity of the ballot—that it should be untrammelled, fair and free—demands that we do something to restrain the working of a traffic fraught with so much mischief to society and State.

The undersigned believes that the increase of the occupation tax by its tendency to drive out low dives, is the true line of progress to political purity and moral growth in the Cities and towns of Texas—that while local option is sufficient and effective in the rural districts, it is powerless in the larger centres of population.

It is claimed that the law, as it exists, is not executed in some sections of the State, but this is simply the negligence of the officers. It is certainly executed in most localities throughout the State, yet the result is the same.

It is submitted in behalf of the minority that the legislation suggested is neither new or experimental. In our sister State of Missouri, the lowest tax is \$550 and the highest \$1500, and in his last message Governor Marquette claims that since Missouri has abandoned her low taxation of 1879 there has been a gain of \$1,000,000 in the revenues derived therefrom, and a decrease of 1,000 saloons, and an obvious decrease in crime and violation of law and good order.

For these reasons the undersigned submits that this matter should be carefully weighed by the Senate before adopting the majority report, and operation of the high license tax as it exists in other States closely looked into before final action hereon.

Respectfully submitted.

DOUGLASS of Grayson, chairman.

## BILLS AND RESOLUTIONS.

BY SENATOR CALHOUN.

"An act entitled 'an act to amend Article 441 of the Code of Criminal Procedure of the State of Texas, prescribing the manner in which recognizances and bail bond may be forfeited.'"

Article 441 is proposed to be amended as follows: Recognizances and bail bonds are forfeited in the following manner: The name of the defendant shall be called distinctly at the door of the court house, and if he does not appear within a reasonable time after such call is made, judgment shall be entered that the State of Texas recover of the defendant and the sureties, upon his recognizance or bail bond, the amount of money in which they are bound as named in said recognizance or bail bond.

Referred to Judiciary Committee No. 2.

## MESSAGE FROM THE HOUSE.

The Chief Clerk of the House announced that the House had passed House bill No. 15, being "An act to provide for the voluntary adoption and introduction by counties of a uniform system of text books in the public free schools; also, to authorize trustees of schools to purchase text books under certain circumstances, and to provide a penalty for violation of the provisions of this act by any school officer or teacher."

Referred to Committee on Education.

Also, House bill No. 31, "An act to require railroad companies to pay their employes promptly and prescribing a penalty for failure to so pay them."

Referred to Judiciary Committee No. 1.

Also, substitute Senate bill No. 74, providing for the relief of the drouth sufferers of Texas and making an appropriation therefor.

BY SENATOR DOUGLASS

Of Jefferson, a bill to be entitled "An act to amend chapter 103, 'an act supplemental to and amendatory of an act entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend section 46, of an act to encourage stockraising and protect stock-raisers, approved April 22, 1879, and

amended April 4, 1881, and April 12, 1883, and as amended at the present session of the Legislature, passed by the Nineteenth Legislature, and approved March 31, 1885."

Referred to Committee on Stock and Stockraising.

BY SENATOR M'DONALD.

A bill to be entitled "An act to amend Article 2219, of chapter 2, title 38, Revised Civil Statutes."

The bill provides that notice of intention to take depositions in suits against corporations or joint stock associations, may be given to the president, secretary, treasurer or local agent of such corporation, or association, in the county in which the suit is pending, etc., etc.

Referred to Judiciary Committee No. 1.

BY SENATOR ABERCROMBIE:

A bill entitled "An act to amend article 1418, chapter 20, title 29, Revised Civil Statutes of Texas."

The bill provides that a cause when reversed by Appellate Court and mandate has been filed and notice of filing served on adverse party five days before term day, shall stand for trial in its order on the docket; that when no mandate is filed a certificate of Appellate Court clerk may be filed at least 30 days before term day by defendant, showing that said cause has been reversed and remanded, and if no mandate is filed by the day the case is reached in its order, the Court shall dismiss the cause from the docket.

Referred to Judiciary Committee No. 1.

BY SENATOR GLASSCOCK.

A bill to be entitled "An act to regulate the practice of pharmacy in the State of Texas, and prescribing a penalty for violation of its provisions."

Referred to Judiciary Committee No. 1.

BY SENATOR ALLEN:

Resolved, that whenever there is a minority committee report, both the majority and minority reports shall be printed on connected sheets.

SENATOR SIMKINS

Asked if this would not be an imprac-

ticable resolution, on account of reports not being printed.

SENATOR ALLEN

Thought that minority reports ought to be printed, and that they should be printed at the same time with the majority reports.

SENATOR CALHOUN

Stated that as he understood it the minority reports were already printed with the majority reports.

THE PRESIDENT

Stated that his information was that such was the case.

The resolution was then adopted.

The morning call having concluded, and the hour as agreed having arrived, the Senate went into executive session.

IN SENATE.

On motion of Senator Houston,

The confirmations of executive session were ordered printed in the Journal and the Governor to be notified of the same.

The following message was received from the Governor, read and ordered printed in the Journal:

EXECUTIVE OFFICE, }  
AUSTIN, January 28, 1887. }

*To the Senate of the State of Texas:*

I ask your advice and consent to the appointment of the following gentlemen to be notaries public in

ANGELINA COUNTY.

W. J. Townsend, E. J. Muntooth, J. D. Gann, Joseph Chessnut, J. S. Sayers, Frank Davis, John Young, Jessie Bonner, Monroe Fairchild, Thomas Hensarling, H. J. Matthew, R. M. McManus, J. G. McKnight, H. V. McMickle, T. J. Cochran, C. E. Consler.

ATASCOSA.

B. L. Temple, Frank Howard, Pleasanton.

J. L. McCaleb, Benton.

BASTROP.

J. W. Westbrook, McDade.

## BOSQUE.

N. R. Morgan, A. A. Hughes, R. G. Childress, Meridian.  
 C. W. Smith, Eulogy.  
 R. E. Conine, jr., Cayote.  
 R. H. Turner, Childress Creek.  
 Peter Pierson, Norse.  
 J. B. Dagley, P. Nowlin, Valley Mills.  
 G. M. Coston, Cranfills Gap.  
 Y. Gromland, Norse.  
 A. G. McMahan, Fowler.  
 P. B. Ward, H. S. Dillard, J. A. Gillett, Meridian.  
 E. J. Gibbs, Clifton.

## BROWN.

Charles Rogan, Will H. Mays, E. B. Durham, Ed. E. King, B. G. Sweet, T. C. Willarson, M. C. Kirkpatrick, W. R. Davidson, W. A. McIntosh, John W. Goodwin, Thomas Maples, W. C. Morgan, F. W. Henderson, John Y. Rankin, W. J. Evans, W. H. Scott, Brownwood.  
 R. L. Russell, Blanket.

## CALDWELL.

A. B. Story, S. S. McDonald, Lockhart.  
 S. L. McCulloch, Martindale.  
 C. H. Brown, A. C. Williams, Luling.  
 A. J. Rife, Albade.  
 J. A. Hatchett, John B. Cole, Elm Grove.  
 Peter C. Doyle, John D. Rice, Luling.  
 David W. Hale, Harwood.

## CALHOUN.

J. H. Bickford, Port Lavaca.  
 John Rosmer, Indianola.

## CALLAHAN.

T. S. Bell, A. G. Wills, W. H. Cliett, A. G. Webb, D. Richardson, W. R. Lotz, Baird.

## CHAMBERS.

Henry Dutton, Charles Wilcox, H. H. Jackson, Wallisville.

## COLEMAN.

R. W. Brown, J. D. Cummings, E. A. Lindsey, J. J. Callan, Coleman.  
 G. W. Harrison, Santa Anna.

## COLLIN.

James L. Greer, Anna.  
 James L. Daggett, McKinney.

## COMANCHE.

J. A. Holman, Comanche.  
 E. B. Downs, Sipe Springs.  
 J. D. Bonner, Thomas R. Hill, C. B. Mason, E. L. Shropshire, Comanche.  
 Richard B. Kee, DeLeon.  
 G. W. Conoway, Hazel Dell.  
 D. P. Lester, Silvane.  
 James Terry, DeLeon.

## CONCHO.

John J. Cynion, Paint Rock.  
 Perry Bartholow, Eden.

## DEWITT.

R. A. Pleasants, G. H. Schleicher, C. G. Hartman, Cuero.

## EASTLAND.

B. R. Williams, E. T. Watson, Caleb Terrell, Ranger.  
 R. M. Black, W. B. Train, R. B. Truly, G. W. Dakan, C. C. Connellee, W. L. Calhoun, Eastland.  
 Frank E. Larimer, David Redfield, W. M. Eremen, J. E. Luse, L. E. Brannin, Cisco.  
 W. B. Train, Carbon.  
 H. P. Bucy, Rising Star.  
 R. R. Wells, Curtis.

## ERATH.

J. D. L. Clair, Alexander.  
 L. E. Gillette, J. T. Harris, Dublin.  
 R. P. Campbell, Lingville.  
 C. J. Shappard, T. B. King, M. L. Jackson, Stephenville.

## FISHER.

E. V. Strang, Fisher.  
 R. C. Crane, Roby.

## GOLIAD.

J. C. Burns, J. Gus Patton, Goliad.

## GRAYSON.

John F. Thompson, Sandusky.

## GRIMES.

A. T. Brigance, N. P. Trant, D. C. Zuber, L. W. D. Guinn, W. W. Dodd, J. C. Brogrenington, C. L. Kittar, J.

H. Freeman, A. M. Campbell, C. B. Nichols, John H. Wilson.  
Pinckney Hawkins, Darby Post-office.

J. R. Lindley, W. O. Shelman, Geo. E. White.

## HARDIN.

Joseph Nabray.  
John P. Work, Kometz.

## HARRIS.

Jno. L. Stewart, R. L. Lovett, T. Blake Dupree, S. Taliaferro, H. M. Curtin, T. M. Poland, Chas. E. Dwyer, Jas. T. Ferguson, T. W. Archer, Garrett Hardeastle, J. C. Kidd, John Kennedy, G. M. Brauchamp, Ernest Vasmer, J. E. McAsham, E. B. H. Schnider, J. B. Cochran, C. C. Culmore, F. A. Shaefer, W. E. Hertford, F. F. Chew, jr., Houston.

## HARRISON.

C. H. McGill, Marshall.

## HILL.

J. E. Elliott, W. H. Latimer, W. K. Townsend, J. T. Armstrong, T. C. Morgan, J. J. Scrivner, G. I. Jordan, Thomas H. Dixon, W. W. Williams, J. C. Killough Hillsborough.

## HOUSTON.

J. E. Downes, S. A. Denny, B. F. Duren, E. Winfree, Enoch Broxon, Crockett.

Z. B. John, Colltrop.  
W. P. McHenry, Tadmun.  
John Kennedy, Augusta.  
Geo. M. Stoveall, Daly.  
R. H. Hutchings, Weldon.  
D. J. Canton, Lovelady.  
B. F. Campbell, Grapeland.  
G. R. Smichison, Portes Springs.

## HOWARD.

G. W. Walthall, T. G. Andrews, Big Springs.

## JACKSON.

H. T. Chivers, J. D. Owen, J. W. Allen, A. S. Thurmond, L. M. Love, J. M. Humphrey, R. M. Brown, W. H. Coleman, A. J. Schmidt, Ed. Bonham, R. R. Bolling, Edna.

E. C. Mullinax, Gauado.

## JEFFERSON.

J. Y. Lanier, G. W. O'Brien, A. S. John, A. A. Truehard, T. J. Russell, Beaumont.

## JONES.

J. K. Little, C. D. Davis, Dan M. Jones, Ed. F. Nicolds, Anson.  
L. P. Stanford, Jones county.

## LEON.

H. P. Monon, Odin's Mill.  
N. G. Kittrell, Jewett.  
T. B. Looney, Oakwood.  
Horatio Durst, Leona.  
T. L. Bryan, Harding's Store.  
B. D. Dashill, Jewett.  
T. M. Amos, Marquez.  
J. L. Ellis, Jewett.  
A. M. Hill, Rogers Prairie.  
Frank Watson, Centerville.  
T. G. Nixon, Leona.  
J. P. Greene, Sparksville.  
J. C. Davis, Middleton.  
J. D. Patrick, Jewett.

## LIBERTY.

G. E. Taylor, Alfred Isaacks, George Ricks, Tarknyton Prairie.

## MARTIN.

Adam Konz, Marienfield.

## MATAGORDA.

George Brown, Pledger.  
J. G. Rainey, Hardeinan.  
P. M. Bowie, Caney.  
W. E. Moore, Deming's Bridge.  
Wm. C. Braman, F. L. Rugely, Matagorda.

## MAVERICK.

B. W. Varnell, Eagle Pass.

## M'CULLOCH.

A. J. Smith, John H. Moses, J. T. Williams, Chas. E. Williams, Walter Anderson, Brady City.  
J. L. Tarver, Camp San Saba.  
J. L. Spiller, Voca.  
M. Clements, Cowboy.

## M'LENNAN.

R. G. Pideocke, Waco.  
Angus G. Ridgill, Eddy.  
John Walton, James I. Moore, Thos. C. Smith, Waco.  
A. H. Justice, Iredell.

## MITCHELL.

C. H. Earnest, J. H. Morrison, Allen McLean, R. A. Jeffress, T. G. Mullin, C. W. Croft, R. L. Boren, R. H. Lonney, W. J. Hatch, Ivy H. Burney, H. R. Solomon, James S. Shepherd, C. W. Merrill, Xavier Ryan, J. S. Simmons, Colorado City.

## NAVARRO.

W. J. McKie, R. E. S. Barry, Corsicana.

## NOLAN.

J. H. Beall, H. C. Hord, J. B. Scarbrough, J. W. Posey, J. F. Eidson, W. H. Conan, R. A. Ragland, Sweetwater.

## ORANGE.

Stephen Chenault, Orange.  
G. A. Hudson.  
Marion Stephenson.  
J. T. Hart.  
A. C. Bullitt.

## PARKER.

J. B. Price, Henry Miller, Weatherford.  
G. A. Holland, Poolville.  
Jas. T. Johnson, Whitt,  
D. N. Ferguson, Veal Station.

## RUNNELS.

G. W. Berryman, Ballinger.  
C. C. F. Blanchard,  
H. C. Jordan, H. E. Pearce, Runnels.  
C. H. Willingham, Ballinger.

## TARRANT.

J. E. Hickman, Oak Grove.  
A. W. Hutchins, J. J. Melton, A. R. Malry, D. S. Brown, B. J. Hanston, John C. Phelan, James Harrison, G. G. Andrews, Newton H. Lasiter, C. C. Cummings, John T. Ginnochio, W. M. Young, G. W. Finger, Fort Worth.  
Willis M. Temmerman, Arlington.  
Robert C. Johnson, C. M. Templeton, Fort Worth.

## TAYLOR.

H. H. Luckett, Thomas M. Willis, G. A. Kirkland, E. H. Sintenis, A. T. Davidson, R. H. Parker, T. M. Kelsey, F. B. Huston, Geo. W. Jalonick, T. J. Finnie, C. C. Parker, M. C. Lambeth, K. K. Legett, J. E. Cockrell, M. W. Worthington, sr., D. B. Corley, W. D. Cheatham, Abilene.

## TRINITY.

J. M. Dawson.

## PALO PINTO.

F. W. Ingalls, Angora.  
James T. Daniel, Gordon.

## POLK.

R. E. Corry, T. L. Freeman, J. C. Feagun, Livingston.

## SAN SABA.

Thomas Thaxton, Liden Harris, Leigh Burleson, San Saba.  
Joe Frazier Brown, Cherokee.

## SHACKLEFORD.

L. W. Campbell, J. L. Fisher, L. O. Larche, Albany.

## STEPHENS.

F. W. Brown, William Veale, John W. Veale, Breckenridge.

## TRAVIS.

John L. Myrick, E. W. Shands, Austin.

## VICTORIA.

Jules H. Hexter, James J. Jones, M. M. Goodwin, G. R. Priaham, C. L. Thurmond, jr. Victoria.  
States W. Hill, Edwin A. King, Inez. William Schmidt, Victoria.

## WALKER.

S. T. Burns, jr. Huntsville.  
G. A. Wynne, Huntsville.

## WASHINGTON.

W. H. Vinson, Brenham.

## WEBB.

C. W. Gribble.

## WILSON.

J. B. Polley, J. W. Dickey, Floresville.  
John R. King, Stockdale.  
Peyton Warren, Southerland Springs.  
Respectfully,  
L. S. Ross,  
Governor.

The hour having arrived, the Senate repaired to the hall of the House of Representatives to ballot for United States Senator.

## IN JOINT SESSION.

Senate roll called.  
Quorum present.  
House roll called.  
Quorum present.

The Speaker of the House announced that the two Houses were in joint session to ballot for United States Senator.

The first ballot was taken, and resulted as follows:

FIRST BALLOT—Fourth Day.				THIRD BALLOT—Fourth Day.			
Sensors.	Maxey.	Reagan.	Ireland.	Sensors.	Maxey.	Reagan.	Ireland.
Abercrombie.....	1			Abercrombie.....	1		
Allen.....		1		Allen.....		1	
Armistead.....	1			Armistead.....	1		
Bell.....			1	Bell.....			1
Burges.....			1	Burges.....			1
Burney.....			1	Burney.....			1
Calhoun.....		1		Calhoun.....		1	
Camp.....			1	Camp.....			1
Claiborne.....		1		Claiborne.....		1	
Davis.....		1		Davis.....		1	
Douglass of Jefferson.....	1			Douglass of Jefferson.....	1		
Douglass of Grayson.....	1			Douglass of Grayson.....	1		
Field.....		1		Field.....		1	
Frank.....			1	Frank.....			1
Garrison.....			1	Garrison.....			1
Glasscock.....			1	Glasscock.....	1		
Gregg.....		1		Gregg.....		1	
Harrison.....	1			Harrison.....	1		
Houston.....	1			Houston.....	1		
Jarvis.....	1			Jarvis.....	1		
Knittle.....			1	Knittle.....			1
Lane.....		1		Lane.....		1	
McDonald.....	1			McDonald.....	1		
MacManus.....	1			MacManus.....	1		
Pope.....			1	Pope.....			1
Simkins.....		1		Simkins.....		1	
Stinson.....	1			Stinson.....			1
Terrell.....		1		Terrell.....			1
Upshaw.....	1			Upshaw.....	1		
Woods.....			1	Woods.....			1
Woodward.....	1			Woodward.....	1		
				Mr. President.....			
House vote.....	12	9	10	House.....	12	8	11
	33	45	25		33	45	25
Total.....	45	54	35	Total.....	45	53	36

  

SECOND BALLOT—Fourth Day.				SENATOR DOUGLASS	
Sensors.	Maxey.	Reagan.	Ireland.	Of Jefferson, moved that the joint session be dissolved and that the Senators retire to the Senate Chamber.	
Abercrombie.....	1			Lost by the following vote.	
Allen.....		1		YEAS—12.	
Armistead.....	1			Armistead, Glasscock,	
Bell.....			1	Burges, Knittle,	
Burges.....			1	Camp, Lane,	
Burney.....			1	Douglass of J, MacManus,	
Calhoun.....		1		Douglass of G, Pope,	
Camp.....			1	Garrison, Woods.	
Claiborne.....		1		NAYS—19.	
Davis.....		1		Abercrombie, Harrison,	
Douglass of Jefferson.....	1			Allen, Wm. Houston,	
Douglass of Grayson.....	1			Bell, Jarvis,	
Field.....		1		Burney, McDonald,	
Frank.....			1	Calhoun, Simkins,	
Garrison.....			1	Claiborne, Stinson,	
Glasscock.....	1			Davis, Terrell,	
Gregg.....		1		Field, Upshaw,	
Harrison.....	1			Frank, Woodward.	
Houston.....	1			Gregg,	
Jarvis.....	1				
Knittle.....			1		
Lane.....		1			
McDonald.....	1				
MacManus.....	1				
Pope.....			1		
Simkins.....		1			
Stinson.....	1				
Terrell.....			1		
Upshaw.....	1				
Woods.....			1		
Woodward.....	1				
House vote.....	13	8	10		
	32	45	26		
Total.....	45	53	36		

## FOURTH BALLOT—Fourth Day.

Senators.	Maxey.	Reagan.	Ireland.	Culbertson.
Abercrombie.....	1			
Allen.....		1		
Armistead.....	1			
Bell.....			1	
Burges.....			1	
Burney.....			1	
Calhoun.....		1		
Camp.....			1	
Claiborne.....		1		
Davis.....		1		
Douglass of Jefferson.....	1			
Douglass of Grayson.....	1			
Field.....		1		
Frank.....			1	
Garrison.....			1	
Glasscock.....			1	
Gregg.....		1		
Harrison.....	1			
Houston.....	1			
Jarvis.....	1			
Knittle.....			1	
Lane.....		1		
McDonald.....	1			
McManus.....	1			
Pope.....			1	
Simkins.....		1		
Stinson.....				1
Terrell.....			1	
Upshaw.....	1			
Woods.....			1	
Woodward.....	1			
House vote.....	11	8	11	1
	35	43	25	
Totals.....	46	51	36	1

## FIFTH BALLOT—Fourth Day.

Senators.	Maxey.	Reagan.	Ireland.	Burges.
Abercrombie.....	1			
Allen.....		1		
Armistead.....	1			
Bell.....			1	
Burges.....			1	
Burney.....			1	
Calhoun.....		1		
Camp.....			1	
Claiborne.....				1
Davis.....		1		
Douglass of Jefferson county.....	1			
Douglass of Grayson county.....	1			
Field.....		1		
Frank.....			1	
Garrison.....			1	
Glasscock.....	1			
Gregg.....		1		
Harrison.....	1			
Houston.....	1			
Jarvis.....	1			
Knittle.....			1	
Lane.....		1		
McDonald.....	1			
MacManus.....	1			
Pope.....			1	
Simkins.....		1		
Stinson.....			1	
Terrell.....			1	
Upshaw.....	1			
Woods.....			1	
Woodward.....	1			
House vote.....	12	7	11	1
	36	45	22	
Totals.....	48	52	33	1

## SIXTH BALLOT—Fourth Day.

Senators.	Maxey.	Reagan.	Ireland.
Abercrombie.....	1		
Allen.....		1	
Armistead.....	1		
Bell.....			1
Burges.....			1
Burney.....			1
Calhoun.....		1	
Camp.....			1
Claiborne.....			1
Davis.....		1	
Douglass of Jefferson.....	1		
Douglass of Grayson.....	1		
Field.....		1	
Frank.....			1
Garrison.....			1
Glasscock.....			1
Gregg.....		1	
Harrison.....	1		
Houston.....	1		
Jarvis.....	1		
Knittle.....			1
Lane.....		1	
McDonald.....	1		
MacManus.....	1		
Pope.....			1
Simkins.....		1	
Stinson.....			1
Terrell.....			1
Upshaw.....	1		
Woods.....			1
Woodward.....	1		
House vote.....	11	7	13
	32	47	22
Total.....	43	54	35

## SEVENTH BALLOT—Fourth Day.

Senators.	Maxey.	Reagan.	Ireland.
Abercrombie.....	1		
Allen.....		1	
Armistead.....	1		
Bell.....			1
Burges.....			1
Burney.....			1
Calhoun.....		1	
Camp.....			1
Claiborne.....		1	
Davis.....		1	
Douglass of Jefferson.....	1		
Douglass of Grayson.....	1		
Field.....		1	
Frank.....			1
Garrison.....			1
Glasscock.....	1		
Gregg.....		1	
Harrison.....	1		
Houston.....	1		
Jarvis.....	1		
Knittle.....			1
Lane.....		1	
McDonald.....	1		
MacManus.....	1		
Pope.....			1
Simkins.....		1	
Stinson.....	1		
Terrell.....			1
Upshaw.....	1		
Woods.....			1
Woodward.....	1		
House vote.....	13	8	10
	35	46	22
Total.....	48	54	32



## EIGHTH BALLOT—Fourth Day.

Senators.	Maxey.	Reagan.	Ireland.
Abercrombie.....	1		
Allen.....		1	
Armistead.....	1		
Bell.....			1
Burges.....			1
Burney.....			1
Calhoun.....		1	
Camp.....			1
Claiborne.....		1	
Davis.....		1	
Douglass of Jefferson county.....	1		
Douglass of Grayson county.....	1		
Field.....		1	
Frank.....			1
Garrison.....			1
Glasscock.....	1		
Gregg.....		1	
Harrison.....	1		
Houston.....	1		
Jarvis.....	1		
Knittle.....			1
Lane.....		1	
McDonald.....	1		
MacManus.....	1		
Pope.....			1
Sinkins.....		1	
Stinson.....			1
Terrell.....			1
Upshaw.....	1		
Woods.....			1
Woodward.....	1		
House vote.....	12	8	11
	34	48	21
Total.....	46	56	32

## SENATOR GLASSCOCK.

Moved that the joint session be dissolved, and that the Senate retire to the Senate Chamber.

Lost by the following vote:

## YEAS—8.

Bell,	Garrison,
Burges,	Glasscock,
Burney,	Knittle,
Frank,	Woods.

## NAYS—22.

Abercrombie,	Houston,
Allen,	Jarvis,
Armistead,	Lane,
Calhoun,	McDonald,
Camp,	MacManus,
Davis,	Pope.
Douglass of J,	Sinkins,
Douglass of G.	Stinson,
Field,	Terrell,
Gregg,	Upshaw,
Harrison,	Woodward.

## ABSENT—1.

Claiborne.

A motion was here made by Mr. Utiger, member of the House, that the

House of Representatives adjourn, and that the joint session be dissolved till 2:30 o'clock p. m., which motion being put to a vote and lost, Senator Douglass of Jefferson moved that the joint session be dissolved and that the Senators retire to the Senate Chamber.

A point of order was raised by Senator Harrison that the resolution could not now be entertained, the last vote taken by the Senate being on the question of dissolution of the joint session and no other motion having intervened.

## THE PRESIDENT

Overruled the point of order on the ground that this being a joint session, and a motion on the part of the House to adjourn having been made and acted on, the Senate could now act upon another motion to adjourn.

The motion was then agreed to by the following vote:

## YEAS—16.

Armistead,	Garrison,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Davis,	McDonald,
Douglass of J,	MacManus,
Douglass of G,	Pope,
Frank,	Woods.

## NAYS—15.

Abercrombie,	Harrison,
Allen,	Houston,
Calhoun,	Sinkins.
Camp,	Stinson.
Claiborne,	Terrell.
Field,	Upshaw,
Glasscock,	Woodward.
Gregg,	

## ABSENT—none.

## IN SENATE.

## REPORTS OF COMMITTEES.

## BY SENATOR TERRELL,

By leave:

COMMITTEE ROOM,  
AUSTIN, January 28, 1887. }  
To. Hon. T. B. Wheeler, President of  
the Senate:

Sir—Your Judiciary Committee No. 1, to which was referred Senate bill No. 67, entitled "An act to amend Article 191, chapter 2, title 9, of the Revised Civil Statutes," have carefully examined the same, and instruct me to re-

port it back with the recommendation that it do not pass.

The bill seeks to change the law in regard to garnishments, and provides for relieving, and effects debts or claims that have been garnisheed.

Respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, January, 28, 1887. }

*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Judiciary Committee No. 1, to which was referred Senate bill No. 75, entitled "An act to amend title 17, chapter 1, of the Revised Civil Statutes, by adding thereto Articles 343a and 343b," have carefully examined the same and instruct me to report it back with the recommendation that it do not pass.

The bill seeks to allow cities and towns incorporated under the general law to dissolve and abandon the corporation by a majority vote of their citizens.

Respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, January, 28, 1887. }

*To Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Judiciary Committee No. 1, to which was referred Senate bill No. 61, entitled "An act creating boards of equalization for cities and towns, and defining their duties," have examined the same, and instruct me to report it back with the recommendation that it be referred to the Committee on Finance, to which it properly belongs.

Respectfully submitted.

TERRELL, chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, January, 28, 1887. }

*Hon. T. B. Wheeler, President of the Senate:*

Sir—Your Judiciary Committee No. 1, to which was referred Senate bill No. 69, entitled "An act to amend Article 156, chapter 1, title 9, of the Revised Civil Statutes," have carefully considered the same and instruct me to report it back with the recommendation that it do not pass.

The bill seeks to change the law in regard to litigants and sureties in cases of attachment, and provides that no bond shall be required when suit is against non-residents or foreign corporations.

Respectfully submitted.

TERRELL, chairman.

Bill read first time.

On motion of Senator Woods,

The Senate adjourned till 11 o'clock Monday morning.

## EIGHTEENTH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, January 31, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator MacManus the reading of the journal of Saturday was dispensed with.

The President gave notice of signing Substitute Senate bill No. 74: "An Act for the Relief of the Drouth Sufferers of Texas and making an Appropriation therefor."

On motion of Senator Camp, Senator Terrell was excused for to-day.

On motion of Senator Glasscock, Senator Houston was excused for to-day.

On motion of Senator Gregg, Senator Allen was excused for to-day.

On motion of Senator Upshaw, Senator Simkins was added to the Committee on Internal improvements.

## PETITIONS AND MEMORIALS.

BY SENATOR MACMANUS:

Petition of citizens of Cameron county against the adoption of pending bill regulating telegraphs and telephones and against special legislation on these subjects.

Referred to Committee on Internal Improvements.

BY SENATOR CAMP:

Petition of citizens of Tyler, Smith county, protesting against the passage of the bucket shop bill.

Ordered to lie on the table to be considered in connection with the bill to